

Tendring Local Plan Part 2

Examination in Public

Day 1 - Monday 23rd February

AGENDA

Matter 1 – Legal Compliance and Overarching Issues

1. In preparing the Section 2 plan are there any cross-boundary issues which required the Council to engage effectively with neighbouring authorities and other relevant organisations which have not already been considered during the Section 1 Examination?
2. Is the Section 2 Sustainability Appraisal (SA) adequate in terms of:
 - (i) its assessment of the likely effects of the plan's policies and allocations,
 - (ii) its consideration of reasonable alternatives, and
 - (iii) its explanation of why the preferred strategy and policies were selected?
 - Were all the objectives identified in the SA equally weighted ? were any other considerations taken into account ?
 - Did the SA lead to any Suggested Modifications to the Plan ?
3. Is the Habitats Regulations Assessment report Section 2 robust and credible in its conclusions? Are all the report's recommendations to modify the plan included in the Council's schedule of proposed modifications? Have any concerns been raised about the HRA and are there any outstanding concerns from Natural England?
4. In relation to the preparation of Neighbourhood Plans, The Council have identified in their hearing statement a number of policies in the part 2 plan that they consider to be Strategic Policies, what is the rationale behind this ? (Sec 1.8.3)
5. Does the plan comply with all other relevant legal requirements, including in the 2004 Act (as amended) and the 2012 Regulations?
 - In particular, which policies in Part 2 demonstrate that the plan meets the public sector equality duty ?

Matter 2 – Spatial Strategy, the Location of New Development and the Site Allocation Selection Process

1. What is the evidential basis for the settlement hierarchy in policy SPL1?
 - Is this up to date?
 - How did this inform the development strategy?
 - Does the hierarchy take appropriate account of travel distances to neighbouring settlements ?
 - Does it take appropriate account of local highway conditions ?
 - Has it been assessed against reasonable alternatives ?
 - Are there any omissions or anomalies ?
 - Its relation to smaller rural settlements please explain what other factors were considered in addition to local services and how this led to the selection of such settlements.
 - Is it appropriate to include the planned Colchester Garden Community within SPL1?

2. In relation to policy SPL2 are the plan's provisions justified, effective and consistent with national policy ?
 - Is Policy SP2 overly restrictive ? Does it allow for the consideration of a range of criteria which may impact development ?
 - Should the policy be more explicit in clarifying the circumstances under which development outside of the SDB will be allowed ?

3. Are the settlement development boundaries in SPL2 appropriately drawn? What factors were taken into account in designating these?

4. Do SPL 1 and SPL2 allow sufficient development in rural service centres and smaller rural settlements to comply with para 28 of the Framework?

5. Have the sites allocated for development in the plan been appraised and selected in comparison with possible alternatives using a robust and objective process?
 - how was this process undertaken ?
 - does the Council consider that the Sustainability Appraisal shows a clear difference between the sites selected and those discounted ?
 - What other factors were taken into account in site selection ?

6. Are the Council's proposed modifications to these policies and the supporting text in chapter 3 necessary for soundness ?